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December 2, 2003

2384.503

Via Hand Delivery

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

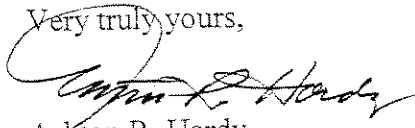
**Re: Comments of National Religious Broadcasters
in Support of Application for Review**

Dear Ms. Dortch:

On behalf of our client, National Religious Broadcasters, we are hereby filing an original and four (4) copies of Comments in Support of Application for Review in file EB-03-IH-0110. We are also hand-delivering copies to each Commissioner. If you have any questions, please do not hesitate to contact me.

With kindest regards, I am

Very truly yours,



Ashton R. Hardy

ARH:ems

Encl.

cc: Dr. Frank Wright

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re:

Complaints Against Various Broadcast
Licensees Regarding Their Airing of the
"Golden Globe Awards" Program

File No. EB-03-IH-0110

To: The Commission

**COMMENTS OF NATIONAL RELIGIOUS BROADCASTERS
IN SUPPORT OF APPLICATION FOR REVIEW**

National Religious Broadcasters ("NRB") is a non-partisan, international association of Christian communicators with more than 1,700 member organizations representing millions of listeners, viewers and readers. It was founded in 1944 and is the nation's largest association of individuals and entities engaged in communication of the Gospel via the electronic media. NRB aims to foster access to electronic media for religious speech – as well as to promote high standards of excellence, integrity, and accountability. In addition, NRB opposes dissemination of obscene or indecent messages over the public airwaves. Thus, NRB hereby submits these comments in unequivocal support of the Parents' Television Council's Application for Review to urge the Federal Communications Commission ("FCC" or "the Commission") to re-evaluate the decision of the Enforcement Bureau ("the Bureau") in this case in so far as it sanctions the use of indecent language over the public airwaves when children are likely in the audience.¹

Introduction

In 1975, the Commission embarked on a bold initiative to clean up the nation's public

¹ NRB takes no position on whether sanctions against individual broadcasters are appropriate in this case. Rather, NRB's comments focus on the public policy that is implicated.

airwaves of "obnoxious, gutter language ... [that has] no place on radio when children are in the audience" by both defining what constitutes indecent language and by restricting its use on the public airwaves to times only when children are least likely to be in the audience.² Specifically, the Commission defined the concept of "indecent" as being:

"...intimately connected with the exposure of children to language that describes [or depicts], in terms patently offensive [sic] as measured by contemporary community standards for the broadcast medium, sexual or excretory activities and organs, at times of the day when there is a reasonable risk that children may be in the audience."³

Using this definition, the Commission determined that the seven words used in George Carlin's monologue, among them the word "fuck", when broadcast over the air during a time when children were likely to be in the audience, are indecent and a violation of 18 U.S.C. §1464.⁴ Moreover, the Commission did not limit its determination that the words are indecent when broadcast to only those times when the words are repeated during the same broadcast or used as adjectives. Rather, the definition makes very clear that a single use of the word, no matter how it is used, in a broadcast during a time when children are likely to be in the audience is sufficient to constitute indecency.

Three years later, the U.S. Supreme Court expressly affirmed the FCC's definition of

² *In the Matter of a Citizen's Complaint against Pacifica Foundation*, 32 RR 2d 1331, 1336, ¶11 (1975)[This landmark case involved George Carlin's "Filthy Words" monologue which was broadcast on Pacifica's New York station, WBAI, at approximately 2 p.m. on October 30, 1973. A man driving in his car with his young son heard the broadcast and complained to the FCC.] *Pacifica* was a case of first impression regarding "indecent" in broadcasting. The Commission had already addressed the issue of "obscenity" in broadcasting in *Sonderling Corp.*, 27 RR 2d 285, *recon. denied*, 27 RR 2d 1508 (1973).

³ *In the Matter of Pacifica Foundation*, 32 RR 2d at 1336, ¶11.

⁴ *Id.* at 1337, ¶ 14. The NRB finds it offensive, albeit necessary, to even have to use the word in this pleading.

indecent and its courageous policy. The Court, like the FCC, recognized that “broadcasting ... has received the most limited First Amendment protection” because broadcasting, unlike any other form of media, is “uniquely accessible to children.”⁵ Since the government has a justified interest in protecting the nation’s youth from indecent broadcasting, the Commission’s policy prohibiting indecent language on the public airwaves during times when children are likely to be in the audience was and is still justified.⁶

David Backs Down From Goliath

Almost immediately, however, this potent policy began to be diluted by its very own creators, the Commission and its staff, to make it more palatable to broadcast licensees. Rather than stand behind its staunch and correct position, the Commission almost immediately began to retreat by issuing a *Memorandum Opinion and Order* “clarifying” its position that inaugurated the trend of carving out exceptions and restrictions to the original definition and policy.⁷ Specifically, the Commission stated that it would be “inequitable for us to hold a licensee responsible for [the broadcast of] indecent language” when that indecent language is included in a live broadcast that the licensee has no opportunity to censor.⁸

⁵ *FCC v. Pacifica Foundation*, 438 U.S. 726, 748, 749 (1978). The Commission, in its original decision, also cited the possibility of children in the audience when indecent material is broadcast as being “of special concern.” *In the Matter of Pacifica Foundation*, 32 RR 2d at 1335, ¶ 9. See also *Concurring Statement of Commissioner Glen O. Robinson*, 32 RR 2d at 1343.

⁶ *Pacifica*, 438 U.S. at 749.

⁷ *Memorandum Opinion and Order, In the Matter of a Petition for Clarification or Reconsideration of Pacifica Foundation*, 36 RR 2d 1008 (1976).

⁸ *Id.* at 1009-10, n.1. NRB notes that technological advances now exist that allow broadcasters to easily and economically insert multi-second delays in live programming without affecting the spontaneity of a live broadcast while preserving the civility and decent nature of the

Succeeding Commissions over the past 28 years, have abdicated their authority in indecency cases to the staff, who through delegated authority and subsequent decisions has furthered diluted, watered-down and eroded the effectiveness and potency of the Commission's own indecency standard. What has emerged from these decisions is a more limited definition of indecency that leashes and checks the original intent of the Commissioners in 1975 -- to relegate all indecent language, even fleeting indecent language, to the hours of the day when children are least likely to be in the audience.⁹

Specifically, since *Pacifica*, the Commission has developed the following factors, in addition to the original *Pacifica* standard, to consider when determining if a broadcast is indecent:

broadcast.

⁹ See Policy Statement, *In the Matter of Industry Guidance on the Commission's Case Law Interpreting § 1465 and Enforcement Policies Regarding Broadcast Indecency*, 16 FCC Rcd 7999 (2001). At least one Commissioner was disturbed by the actions of the Commission in chipping away at its own policy. Commissioner Duggan stated "Although the Commission has twice declined to adopt an express 'news exemption' for indecency enforcement, it may have implicitly created an exemption here." *In re Peter Branton*, 6 FCC Rcd 610, 611 (1991)

More recently, current Commissioner Copps, dissenting from the Commission's decision to not seek license revocation for stations that broadcast the "Opie and Anthony" show, stated:

"I wonder when this Commission will finally take a firm stand against the 'race to the bottom' on our airwaves. The time has come for us to send a message that we are serious about enforcing the indecency laws of our country and that we will be especially vigilant about the actions of repeat offenders such as those cases before us here. Instead we turn an apparently incurable deaf ear to millions of Americans who are fed up with the patently offensive programming sent into their homes so regularly. Today's decision does nothing to discourage such programming. It all comes down to this: station owners aren't given licenses to use the public's airwaves to peddle smut. They are given licenses to serve the public interest."

In re Infinity Broadcasting Operations, Inc., et al, FCC 03-234 (rel. October 2, 2003).

“(1) the *explicitness or graphic nature* of the description or depiction of sexual or excretory organs or activities; (2) whether the material *dwells on or repeats at length* descriptions of sexual or excretory organs or activities; (3) *whether the material appears to pander or is used to titillate*, or *whether the material appears to have been presented for its shock value*.” (emphasis in original).¹⁰

Using these factors, the Commission has found that fleeting utterances of patently offensive words, like “fuck”, are not actionable, in apparent contradiction to the original policy set forth in *Pacifica*.¹¹ Most recently, the Enforcement Bureau made this adulterated policy abundantly clear when it determined that a speech broadcast on the “Golden Globe Awards” that included the word “fucking” was not indecent.¹²

Who is Protecting the Children?

In the Commission’s rush to give in to the arm-twisting of broadcast licensees, it has forgotten the group that it has been charged with protecting: the children who are the next generation of Americans. As steward of the American airwaves, it is the responsibility of the FCC to govern and in some cases censor those airwaves so as to protect the most innocent listeners and viewers from the deleterious effects of broadcasting indecent language. C.S. Lewis, a Christian writer and

¹⁰ *Id.* at 8003, ¶10. It is noteworthy that in the original *Pacifica* decision, the Commission differentiated indecency from obscenity by the fact that indecency “lacks the element of appeal to the prurient interest...” *In the Matter of Pacifica Foundation*, 32 RR 2d at 1336, ¶ 11. Here, it would appear that the Commission, by focusing on the “graphic nature”, “repetition at length” or “the shock value” of material, is defining indecency more like obscenity. And, while obscenity is absolutely prohibited from the airwaves at all times, it is also harder to define and thus, to find.

¹¹ See *In re Peter Branton supra*, note 8 [Commission found repeated broadcast of ‘fuck’ as part of surveillance tapes of John Gotti on National Public Radio at 6:25 p.m. did not constitute indecency.]; *Lincoln Dellar, Renewal of License for Stations KPRL(AM) and KDDB(FM)*, 8 FCC Red 2582 (1993)[Broadcast of “Oops, fucked that one up” not indecent].

¹² *In the Matter of Complaints Against Various Broadcast Licensees in their Airing of the “Golden Globe Awards” Program*, DA 03-3045, p. 3, ¶5 (October 3, 2003).

philosopher, perhaps best explained why this word, as well as others, is so inappropriate for children to hear and ingest. Mr. Lewis asserted that words like "fuck" and other "four-letter words" are obscene and debasing because they reduce man's actions to their most animal form. Society does not condone the display of these "animal" functions before children and it should also not condone the use, before children, of words that by their very nature are patently offensive in their depiction of sexual functions.

Thus, the FCC must regain its position as the defender of the public interest and enforcer of indecency standards on the public's airwaves, a position that it has abdicated over the years by continually chipping away at its own originally established, legally approved standard. As Commissioner Glen Robinson stated at the time *Pacifica* was adopted, "[w]hat we assert is a special power to protect the young - or, more precisely, people's views about what sort of material it is proper to expose to the young..." But, where has this sentiment gone? It has been discarded with the basic tenets of the indecency policy by the very regulatory agency that promulgated it. The time has come for the FCC to reinstate and reaffirm its original indecency policy as enumerated in *Pacifica*. Only through enforcing its original policy can the FCC protect America's children.

Depiction Versus Description

As discussed earlier, the original *Pacifica* policy specifically held that the word "fuck", among other words, "depict[s] sexual ... activities ... in a manner patently offensive by contemporary community standards for the broadcast medium and [is] accordingly 'indecent' when broadcast over radio or television."¹³ The critical portion of this statement that the Bureau and NBC fail to acknowledge is that the word "fuck" **in and of itself** depicts sexual function in a patently offensive

¹³ *In the Matter of Pacifica Foundation*, 32 RR 2d at 1337, ¶14.

manner, whether or not the word is used in a sexual context.¹⁴ Webster's Dictionary specifically defines "fuck" as an act of sexual intercourse and "fucking" as "to have sexual intercourse."¹⁵ Thus, despite the fact that Bono used "fucking" as an adjective,¹⁶ the broadcast of the word over television during a time when children are likely to be in the audience is indecent because the word, no matter how it is used, is a patently offensive term depicting sexual activity.

How is it, then, that the Bureau can allow broadcast licensees to specifically broadcast "fuck", a word which is always a patently offensive term depicting sexual activity, even if it is used as an insult or an adjective? NRB can only assume that the Bureau has given into the same apathy toward indecency that seems to have captured the Commission. Obviously, it is easier for the Bureau to sanction use of the word by 90 television stations by cleverly reading around the indecency policy than it is to issue Notices of Apparent Liability and deal with the resulting backlash from broadcasters.

However, while the Bureau, and the Commission, may see little to no deleterious effects from this apathetic view of the indecency policy, every time a program featuring the word is broadcast over the public airwaves when children are likely to be in the audience, those children are being

¹⁴ Both the Bureau and NBC go to great pains to argue that "fuck" does not describe sexual activity. In doing so, they noticeably ignore the *Pacifica* decision and the fact that even though Carlin's monologue did not use the word to describe sexual activity, the Commission still found the use of the word to be indecent. See *Pacifica*, 32 RR 2d at 1348-50. It reached its decision because the word by its very nature is a patently offensive term depicting sexual activity.

¹⁵ See www.websters.com. Moreover, the word history notes explain that "the **obscenity** 'fuck' is a very old word and has been considered shocking from the first..." (*emphasis added*).

¹⁶ The Enforcement Bureau used this same flawed logic to find that the word, when used as an insult, did not constitute indecency. See *Entercom Buffalo License, LLC (WGR(AM))*, 17 FCC Rcd 11997, 11999-12000, at ¶¶ 7, 9-10 (2002).

negatively influenced and corrupted. When taken in the aggregate, the number of children who are being exposed to this "most objectionable, ... most forbidden, and ... most patently offensive"¹⁷ word everyday is staggering. How many more children have to listen to the filth that is being broadcast because it is used "fleetingly" or as "an adjective" or "an insult" before the Commission takes a long hard look at its own policy? NRB sincerely hopes that it will not have to be as many children as have already been exposed to this patently indecent word.

What Does the Future Hold?

While no one can foresee the future, the past holds many lessons and educated predictions for the future. In the past, a radio personality tried to teach a three-year-old boy how to say "fuck" on the air in the afternoon.¹⁸ In the past, the Commission has sanctioned the use of the word by National Public Radio because it was used as part of a "*bona fide*" newscast even though children were likely to be in the audience.¹⁹ In the past, shows like "Jerry Springer", "South Park",²⁰ and "the Osbornes" have featured repeated and gratuitous use of "fuck", that even though "bleeped", is still recognizable. These incidents teach us that, if not stopped, use of the word will proliferate even more than it already has into our homes and the daily vocabularies of our children.

¹⁷ See *Dissenting Statement of Commissioner Ervin S. Duggan, In re Peter Branton*, 6 FCC Rcd at 611. Commissioner Duggan dissented from the decision of the Commission that the broadcast of the word as part of tape recordings of John Gotti by NPR did not constitute indecency.

¹⁸ *In re Application of the Trustees of the University of Pennsylvania (WXPB-FM)*, see Exhibit A. Entire document is available upon request.

¹⁹ See *In re Peter Branton supra*, note 10.

²⁰ Even though "South Park" is on at 10 p.m. in the Eastern time zone, it is seen at 9 p.m. in the Central time zone. 9 p.m. is still a time when children are likely to be in the audience.

Moreover, these incidents, including the Bureau's recent decision regarding the "Golden Globe Awards", teach that broadcasters will soon stop bothering to "bleep" out the word. After all, if it is used on the news as part of a *bona fide* newscast, or as an adjective, an adverb, a preposition, a modifier, or any other form of grammatical subterfuge, the Bureau will have no problem. Commissioner Duggan foresaw this very problem in 1991 when he wrote, "I am concerned that the Commission's departure here from its usual standard, though well-intentioned, could open the floodgates to the repeated, gratuitous use of language that has historically and legally been considered indecent or obscene."²¹ Even though Commissioner Duggan penned these words in the context of indecent language in *bona fide* newscasts, his concern is even more well-founded when applied to all broadcasting.

Conclusion

Thus, NRB respectfully submits that unless this Commission acts now to reinstate the original policy and completely bans the use of the word "fuck" on the public airwaves when children are likely to be in the audience, it will be responsible for contributing to the degradation of civility for future generations of Americans. Nor should the FCC shirk its duty by citing to the First Amendment or Section 326 of the Communications Act because the Supreme Court has already sanctioned restricting the use of this word from the nation's airwaves, specifically citing the potentially deleterious effects on children as a compelling governmental interest. The Commission now has the opportunity to remedy the effects of its grievous indifference over the past 28 years by reinstating the unadulterated version of the original *Pacifica* indecency standard and sending a clear

²¹ *Dissenting Statement of Commissioner Ervin S. Duggan, In re Peter Branton*, 6 FCC Red at 611.

and unequivocal message to broadcasters that it will no longer tolerate the broadcast of indecent language over the public airwaves. Therefore, NRB urges the Commission to seize this opportunity, and once again, exert courageous leadership in its role as defender of the public interest.

Respectfully submitted:

National Religious Broadcasters

By: 

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Its Attorneys

Filed: December 2, 2003

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FCC 77D-15
79844

In re Application of)

THE TRUSTEES OF THE UNIVERSITY)
OF PENNSYLVANIA)

Radio Station WXPB(FM))
Philadelphia, Pennsylvania)

For Renewal of License)

DOCKET NO. 20677
File No. BRED-155

Appearances

Thomas H. Wall, Alan C. Campbell, Kevin F. Reed and Stephen Burbank on behalf of The Trustees of the University of Pennsylvania; and William D. Silva and Aaron Shainis on behalf of the Chief, Broadcast Bureau, Federal Communications Commission.

INITIAL DECISION OF ADMINISTRATIVE LAW JUDGE WALTER C. MILLER
Issued: March 22, 1977; Released: April 4, 1977

Synopsis

Trustees seek renewal of the license for noncommercial station WXPB(FM), Philadelphia, Pennsylvania (BRED-155). Chief, Broadcast Bureau recommends denial of renewal. The Trustees have failed to exercise adequate control and supervision over WXPB's operations in a manner consistent with a licensee's responsibilities. It therefore does not possess the requisite qualifications to remain a Commission licensee. See Alabama Educational Television Company, 50 FCC 2d 461 (1975). Nor have the Trustees shown that WXPB's programming has been meritorious, particularly with regard to public service programs. The renewal application is denied.

Findings of Fact

Introduction

1. The Trustees of the University of Pennsylvania (Trustees or Penn) seek renewal of license for noncommercial station WXPB(FM), Philadelphia, Pennsylvania. WXPB(FM) is part of the University's undergraduate radio network that was established in November, 1945. WXPB(FM) was licensed by the Commission in 1957. Although it is not involved in this case Penn also has an older AM current carrier operation broadcasting on 730 KHz. The AM staff has about 50 students -- the FM about 40. The two staffs function separately although a student may independently qualify to serve on both staffs.

EXHIBIT

A

tabbies

Female caller: There's -- How old is he?

Male announcer: Yeah.

Female caller: Oh, thirty . . . three.

Male announcer: You know, there's a lot of guys who really get hot -- Does your husband like you to talk dirty in bed when you're fucking?

Female caller: He tells me he doesn't, but I don't believe him. . . . (Laughter). . .

Male announcer: He's lying through his teeth -- he loves it!

Female caller: How's my son? . . . (Laughter) . . . Oh, Thank you, I'm glad you finally answered. I mean one time I was -- I had the 'phone ringing for twenty minutes -- and then -- uh -- then I had to go down to see my son -- uh -- 'cause I won't put the radio on down-stairs because I don't want --

Male announcer: 'Cause you don't want him to hear what we say? . . . (Laughter) . . . We'd be such an education for your kid. It'd be so healthy for him to hear the things that we're saying --

Female caller: I was --

Male announcer: Because if your kid listens now he won't even be satisfied with the shitty radio that they put out.

Female caller: He wants to talk to you.

Male announcer: Well, put him on.

Female caller: Okay, say "hi", Johnny. Say "hi".

Male announcer: Hello.

Child: Hi. Who are you?

Male announcer: I'm David. Who are you?

Child: I . . .

Female caller: He said, "Who are you?" He said, "Who are you?"

Child: Johnny.

Male announcer: Johnny. How old are you, Johnny?

Child: Three.

Male announcer: Johnny, can you say "fuck"?

Female caller: Oh -- you son of a gun, you! . . .
(Laughter) . . . You should have seen the look on his face!

Male announcer: Look, let me tell you something --

Female caller: Oh!

Male announcer: If your son listens to this show -- If your son listens to this show -- where there's good radio -- where people say words that other people are afraid to say -- When he listens to other AM and FM he won't be satisfied. We're building the vanguard of the 1980 revolution right now. When your kid is twenty --

Second male announcer: David, she wants -- She's trying to say something.

Male announcer: What? I'm sorry.

Female caller: That's something else I wanted to say. All these people that -- you know, they're against your show and they -- they want to change it and all this kind of stuff -- You know it's very simple to change your dial if they don't like it.

Male announcer: Exactly. They can all screw-off.

Certificate of Service

I hereby certify that a copy of the foregoing Comment was sent via first-class, U.S. mail on this 2nd day of December 2003, to the following:

KALB-TV
Media General Communications, Inc.
333 East Franklin Street
Richmond, VA 23219

KARK-TV
909 Lake Carolyn Parkway - #1450
Irving, TX 75039

KBTB-TV
Nexstar Broadcasting of Beaumont/Port
Arthur
909 Lake Carolyn Parkway - #1450
Irving, TX 75039

KCEN-TV
Channel 6, Inc.
P O Box 6103
17 South Third Street
Temple, TX 76503

KCRA-TV
KCRA Hearst-Argyle Television, Inc.
888 Seventh Avenue
New York, NY 10106

KARE
Multimedia Holdings Corporation
7950 Jones Branch Drive
McLean, VA 22107

KATV
KATV, LLC
P O Box 77
Little Rock, AR 72203

KCBD
Libco, Inc.
639 Isbell Road - #390
Reno, NV 89509

KCMC-TV
CBS Television Stations, Inc.
2000 K Street, NW - #725
Washington, DC 20006

KETK-TV
KETK Licensee L.P.
Shaw Pittman (K.R. Schmeltzer)
2300 N Street, NW
Washington, DC 20037

KFDM-TV
Freedom Broadcasting of Texas, Inc.
P O Box 7128
Beaumont, TX 77706

KGW
King Broadcasting Company
400 South Record Street
Dallas, TX 75202

KING-TV
King Broadcasting Company
400 South Record Street
Dallas, TX 75202

KOB-TV
KOB-TV, LLC
3415 University Avenue
ATTN: L. Weffring
St. Paul, MN 55114

KHAS-TV
Greater Nebraska Television, Inc.
6475 Osborne Drive West
Hastings, NE 69801

KOAA-TV
Sangre de Cristo Communications, Inc.
2200 Seventh Avenue
Pueblo, CO 81003

KPRC-TV
Post-Newsweek Stations, Houston, LP
8181 Southwest Freeway
Houston, TX 77074

KSDK
Multimedia KSDK, Inc.
c/o Gannett Co., Inc.
7950 Jones Branch Drive
McLean, VA 22107

KTIV
KTIV Television, Inc.
3135 Floyd Boulevard
Sioux City, IA 51105

WNBC, et al.
National Broadcasting Company, Inc.
1299 Pennsylvania Avenue, NW
11th Floor
Washington, DC 20004

KFOR-TV
New York Times Management Svcs.
Corp. Center 1
2202 NW Shore Blvd., #370
Tampa, FL 33607

KKCO
Eagle III Broadcasting, LLC
2325 Interstate Avenue
Grand Junction, CO 81505

KPNX
Multimedia Holdings Corporation
7950 Jones Branch Drive
McLean, VA 22107

KRIS-TV
KVOA Communications, Inc.
409 South Staples Street
Corpus Christi, TX 78401

KSNF
Nexstar Broadcasting of Joplin, LLC
909 Lake Carolyn Parkway - #1450
Irving, TX 75039

KRBC-TV
Mission Broadcasting, Inc.
544 Red Rock Drive
Wadsworth, OH 44281

KTGF
MMM License LLX
900 Laskin Road
Virginia Beach, VA 23451

KSHB-TV
Scripps Howard Broadcasting Company
312 Walnut Street
Cincinnati, OH 45202

KTEN
Channel 49 Acquisition Corporation
P O Box 549
Hampton, VA 23669

KUSA-TV
Multimedia Holdings Corporation
c/o Gannett Co.
7950 Jones Branch Drive
McLean, VA 22107

KWES-TV
Midessa Television Company
P O Box 60150
Midland, TX 79711

KYTV
KY3, Inc.
999 West Sunshine Street
Springfield, MO 65807

WAVE
Libco, Inc.
639 Isbell Road - #390
Reno, NV 89509

WBOY-TV
West Virginia Media Holdings, LLC
P O Box 11848
Charleston, WV 25339

WCNC-TV
WCNC-TV, Inc.
400 South Record Street
Dallas, TX 75202

KWWL
Raycom America, Inc.
RSA Tower, 20th Floor
201 Monroe Street
Montgomery, AL 36104

WANE-TV
Indiana Broadcasting, LLC
4 Richmond Square
Providence, RI 02906

WBBH-TV
Waterman Broadcasting Corp. of Florida
3719 Central Avenue
Fort Myers, FL 33901

WBRE-TV
Nexstar Broadcasting of NE PA, LLC
909 Lake Carolyn Parkway - #1450
Irving, TX 75039

WCSH
Pacific & Southern Co., Inc.
c/o Gannett Co.
7950 Jones Branch Drive
McLean, VA 22107

WCYB-TV

Appalachian Broadcasting Corp.
101 Lee Street
Briston, VA 24201

WFIE

Libco, Inc.
639 Isbell Road - #390
Reno, NV 89509

WHDH-TV

WHDH-TV Government Center
7 Bulfinch Place
Boston, MA 02114

WESH

Orlando Hearst-Argyle Television, Inc.
888 Seventh Avenue
New York, NY 10106

WGAL

WGAL Hearst-Argyle Television, Inc.
888 Seventh Avenue
New York, NY 10106

WHO-TV

New York Times Management Svcs.
Corporate Center 1
2202 NW Shore Blvd., #370
Tampa, FL 33607

WLWT

Ohio/Oklahoma Hearst-Argyle TV, Inc.
P O Box 1800
Raleigh, NC 27602

WDSU

New Orleans Hearst-Argyle Television, Inc.
888 Seventh Avenue
New York, NY 10106

WFMJ-TV

WFMJ Television, Inc.
c/o Shaw Pittman, LLP
2300 N Street, NW
Washington, DC 20037

WDIV-TV

Post-Newsweek Stations, Michigan, Inc.
550 West Lafayette Blvd.
Detroit, MI 48226

WFLA-TV

Media General Communications, Inc.
333 East Franklin Street
Richmond, VA 23219

WHEC-TV

WHEC-TV, LLC
c/o Hubbard Broadcasting, Inc.
3415 University Avenue
St. Paul, MN 55114

WJFW-TV

Northland Television, Inc.
P O Box 858
Rhineland, WI 54501

WMFE-TV

Community Communications, Inc.
11510 E. Colonial Drive
Orlando, FL 32817

WMTV
Gray MidAmerica TV Licensee Corp.
615 Forward Drive
Madison, WI 53711

WILX-TV
Gray MidAmerica TV Licensee Corp.
500 American Road
Lansing, MI 48911

WKYC-TV
WKYC-TV, Inc.
c/o Gannett Co.
7950 Jones Branch Drive
McLean, VA 22107

WMC-TV
Raycom America, Inc.
RSA Tower, 20th Floor
201 Monroe Street
Montgomery, AL 36104

WMGT
Endurance Broadcasting, LLC
c/o Dan Smith
104 North Main Street
Stillwater, MN 55082

WNDU-TV
Michiana Telecasting Corp.
P O Box 1616
South Bend, IN 46634

WNYT
WNYT-TV, LLC
c/o Hubbard Broadcasting, Inc.
3415 University Avenue
St. Paul, MN 55114

WOWT-TV
Gray MidAmerica TV Licensee Corp.
3501 Farnam Street
Omaha, NE 68131

WPXI
WPXI-TV Holdings, Inc.
3993 Howard Hughes Parkway - #250
Las Vegas, NV 89109

WRIC-TV
Young Broadcasting of Richmond, Inc.
301 Arboretum Place
Richmond, VA 23236

WSAZ-TV
Emmis Television License Corporation
3500 West Olive Avenue - #300
Burbank, CA 91505

WOOD-TV
Wood License Company, LLC
120 College Avenue, S.E.
Grand Rapids, MI 49503

WPMI
Clear Channel Broadcasting Licenses, Inc.
2625 South Memorial Drive - #A
Tulsa, OK 74129

WRCB-TV
Sarkes Tarzian, Inc.
205 North College Avenue
Bloomington, IN 47402

WSAV-TV
Media General Communications, Inc.
333 East Franklin Street
Richmond, VA 23219

WSFA
Libco, Inc.
639 Isabel Road - #390
Reno, NV 89509

WSMV-TV
Meredith Corp., Television Stations
1716 Locust Street
Des Moines, IA 50309

WTMJ-TV
Journal Broadcast Corporation
3355 S. Valley View Boulevard
Las Vegas, NV 89102

WVLA
Knight Broadcasting
of Baton Rouge Lic. Corp.
700 St. John Street - #301
Lafayette, LA 70501

WWLP
WWLP Broadcasting, LLC
4 Richmond Square
Providence, RI 02906

WYFF
WYFF Hearst-Argyle Television, Inc.
888 Seventh Avenue
New York, NY 10106

WTHR
VideoIndiana, Inc.
1000 North Meridian Street
Indianapolis, IN 46204

WTVY
Gray MidAmerica TV License Corp.
P O Box 1089
Dothan, AL 36302

WWBT
Jefferson-Pilot Communications Co. of VA
P O Box 12
Richmond, VA 23218

WXIA-TV
Gannet Georgia, LP
c/o Gannett Co., Inc.
7950 Jones Branch Drive
McLean, VA 22107

Robert R. Sparks, Jr., Esq.
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McLean, VA 22101

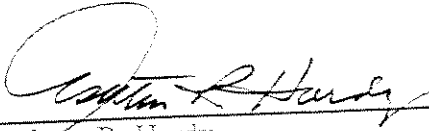
F. William LeBeau
National Broadcasting Corporation
1299 Pennsylvania Ave., NW - 11th Floor
Washington, DC 20004

KKCO-TV
Eagle III Broadcasting, LLC
2325 Interstate Ave.
Grand Junction, CO 81505

KSBW-TV
Hearst-Argyle Stations, Inc.
P.O. Box 1800
Raleigh, NC 27602

WOAI-TV
CCB Texas Licenses, L.P.
2625 S. Memorial Dr.
Tulsa, OK 74129

WJAR-TV
Outlet Broadcasting, Inc.
23 Kenney Dr.
Cranston, RI 02920



Ashton R. Hardy

